

NOVEMBER 22, 2010 REGULAR MEETING

The Regular Meeting of the Board of Trustees was held on November 22, 2010 at the Village Hall, 34 School Street, Bayville, New York 11709, at 7:30 PM.

Present were:	Trustee Kurkowski	Village Clerk Treasurer
	Trustee Naughton	Maria Alfano-Hardy
	Trustee Rapelje	Secretary to the Board
	Trustee Rupp	Nikki Paris
	Trustee Staab	Village Attorney
	Trustee Valsecchi	James A. Reilly
	Mayor Watson	

Trustee Rupp moved BE IT RESOLVED that the following warrants and claims are hereby offered for approval by the Board of Trustees and BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to make said payments.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, Trustee Rapelje, aye, Mayor Watson, aye

TO: MAYOR WATSON AND THE BOARD OF TRUSTEES

FROM: VILLAGE CLERK  
TREASURER

DATE: NOVEMBER 22, 2010

SUBJECT: WARRANTS AND CLAIMS

BE IT RESOLVED that the following warrents and claims are hereby offered for approval by the Board of Trustees and BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to make said payment.

FUND	CLAIM NO.	WARRANT	AMOUNT
GENERAL			
	396/400	4K	\$ 63,190.37
PAYROLL	9/30/2010	4L	\$ 25,018.63
	401	4M	\$ 1,908.47
	402	4N	\$ 252.00
PAYROLL	10/6/2010	5A	\$ 22,813.44
	403	5B	\$ 1,739.67
PAYROLL	10/13/2010	5C	\$ 22,311.44
	404	5D	\$ 1,701.69
	405/430	5E	\$ 49,653.52
PAYROLL	10/20/2010	5F	\$ 23,088.29
	431	5G	\$ 1,760.73
	432/491	5H	\$ 326,458.12
PAYROLL	10/27/2010	5I	\$ 21,573.05
	492	5J	\$ 1,645.20
	493/498	5K	\$ 1,073.67
PAYROLL	11/3/2010	6A	\$ 22,905.17
	499	6B	\$ 1,747.01
	500/514	6C	\$ 208,274.79
PAYROLL	11/10/2010	6D	\$ 23,137.63
	514A	6E	\$ 1,764.49
	515/569	6F	\$ 120,922.99

	570	6G	\$	536.90
PAYROLL	11/17/2010	6H	\$	30,689.91
	571	6I	\$	2,340.72
<b>TOTAL GENERAL</b>			<b>\$</b>	<b>976,507.90</b>
<b>WATER</b>				
PAYROLL	9/30/2010	4K	\$	421.52
	81	4L	\$	331.05
	82	4M	\$	31.20
PAYROLL	10/6/2010	5A	\$	4,709.31
	83	5B	\$	359.05
PAYROLL	10/13/2010	5C	\$	4,768.17
	84	5D	\$	363.53
	85/89	5E	\$	14,264.79
PAYROLL	10/20/2010	5F	\$	4,874.00
	90	5G	\$	371.60
	91/96	5H	\$	7,183.91
PAYROLL	10/27/10	5I	\$	4,687.77
	97	5J	\$	357.40
	98	5K	\$	135.15
PAYROLL	11/3/10	6A	\$	4,381.59
	99	6B	\$	334.06
	100/102	6C	\$	15,064.32
PAYROLL	11/10/10	6D	\$	6,642.77
	103	6E	\$	506.43
	104/112	6F	\$	8,362.69
PAYROLL	11/17/10	6G	\$	3,842.97
	113	6H	\$	292.99
<b>TOTAL WATER</b>			<b>\$</b>	<b>82,286.27</b>
<b>TRUST &amp; AGENCY</b>				
	99/104	4F	\$	13,757.69
	105	4G	\$	321.70
	106/113	5A	\$	12,354.31
	114/119	5B	\$	9,155.46
	120	5C	\$	33,020.29
	121/125	5D	\$	8,842.93
	126/131	5E	\$	11,637.44
	132/136	6A	\$	8,682.81
	137/142	6B	\$	9,531.31
	143	6C	\$	27.45
	144/148	6D	\$	9,970.99
<b>TOTAL T &amp; A</b>			<b>\$</b>	<b>117,302.38</b>
<b>REVENUE ENTERPRISE</b>				
	29/31	5A	\$	1,229.51
	32/34	6A	\$	968.61
	35	6B	\$	260.00
<b>TOTAL REVENUE ENTERPRISE</b>			<b>\$</b>	<b>2,458.12</b>
<b>CAPITAL</b>				
	9	4A	\$	71,474.00

	10/12	4B	\$	31,435.56
	13	5A	\$	416.80
	14	5B	\$	199,551.04
	15	6A	\$	380.00
	16	6B	\$	4,633.20
<b>TOTAL CAPITAL</b>			<b>\$</b>	<b>307,890.60</b>
COMMUNITY DEVELOPMENT				
	1	6A	\$	2,000.00
<b>TOTAL COMMTY DEVELOP</b>			<b>\$</b>	<b>2,000.00</b>
<b>GRAND TOTAL</b>			<b>\$</b>	<b>1,488,445.27</b>

#### **RESOLUTION 2010-169**

Trustee Rapelje moved BE IT RESOLVED to accept the prior month's resolutions for September 2010, as presented.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Rupp, Aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-170**

Trustee Valsecchi moved BE IT RESOLVED to accept the budget transfers as presented.

Seconded by: Trustee Rupp

Poll of the Board: Trustee Rupp, Aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-171**

Trustee Rupp moved BE IT RESOLVED that Mary Infantino is appointed as a member of the Environmental Conservation Commission for a term to expire the first Monday in July, 2012.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-172**

Trustee Valsecchi moved BE IT RESOLVED that Grace Watson is appointed as a member of the Environmental Conservation Commission for a term to expire the first Monday in July, 2012.

Seconded by: Trustee Kurkowski

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-173**

Trustee Rapelje moved BE IT RESOLVED that the Board accepts with regret the resignation of Terri Perri from the Environmental Conservation Commission.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-174**

**Mayor Watson made the following Mayoral appointment:**

**Mayor Watson appointed former Mayor Victoria Siegel as the official Marriage Officiant for the Village of Bayville.**

Trustee Rupp moved BE IT RESOLVED that the Board approves the following Sliding Scale Formula for Senior Citizen Exemptions for the upcoming fiscal year 2011-2012:

INCOME		PERCENT EXEMPTION
\$ 29,000 or less		50%
AT LEAST	BUT LESS THAN	PERCENT EXEMPTION
\$ 29,001	\$ 30,000	45%
\$ 30,000	\$ 31,000	40%
\$ 31,000	\$ 32,000	35%
\$ 32,000	\$ 32,900	30%
\$ 32,900	\$ 33,800	25%
\$ 33,800	\$ 34,700	20%
\$ 34,700	\$ 35,600	15%
\$ 35,600	\$ 36,500	10%

Seconded by: Trustee Kurkowski  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-175**

Trustee Naughton moved BE IT RESOLVED that the Board of Trustees of the Village of Bayville acknowledge that the required examination or audit for year end 5/31/10 was conducted as per Section 2019-a of the Uniform Justice Court Act which requires that Town and Village Justices annually provide their court records and dockets to their respective Town and Village auditing boards and that such records then be examined or audited and that fact be entered into the minutes of the Board's proceedings.

Seconded by: Trustee Rapelje  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-176**

Mark C, Sikorski of National Grid spoke regarding his request for a Blanket permit for the Proactive Service Replacement Program. After some discussion, Mayor Watson decided to make a decision regarding the fees at a later time during the meeting.

Trustee Valsecchi moved BE IT RESOLVED to approve the following Meeting and Holiday Schedule for 2011:

**VILLAGE OF BAYVILLE**  
**MEETING & HOLIDAY SCHEDULE 2011**

<u>DAY</u>	<u>DATE</u>	<u>HOLIDAY</u>
Monday	January 3	New Years Day (observed)
Monday	January 17	Martin Luther King Day
Monday	February 21	Presidents Day
Monday	May 30	Memorial Day
Monday	July 4	Independence Day
Monday	September 5	Labor Day
Monday	October 10	Columbus Day
Friday	November 11	Veterans Day
Thursday & Friday	November 24 & 25	Thanksgiving
Friday 1/2 Day	December 23	Christmas Eve Sat. 12/24
Sunday	December 25	Christmas Day
Monday	December 26	Christmas Day observed
Friday 1/2 Day	December 30	New Years Eve Sat. 12/31

**VILLAGE BOARD MEETING SCHEDULE 2011**  
**2<sup>nd</sup> & 4<sup>th</sup> Monday of the month at 7:30pm.**

January 10 & 24  
February 14 & 28  
March 14 & 28  
April 11 & 25  
May 9 & 23  
June 13 & 27

July 11 & 25  
August 8 & 22  
September 12 & 26  
October 24  
November 14 & 28  
December 12

**TAX SALE – TUESDAY, JULY 26, 2011**

2011 Architectural Review Board Meeting Schedule - Second Tuesday of the Month at 7:30pm.

2011 Planning Board Meeting Schedule – Third Tuesday of the Month at 7:30pm.

2011 Zoning Board of Appeals Meeting Schedule – Last Wednesday of the Month at 7:30pm.

2011 Bayville Village Justice Court Schedule – Third Wednesday of the Month at 7:00pm.  
NO COURT IN DECEMBER

Seconded by: Trustee Kurkowski

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, nay, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-177**

Trustee Rapelje moved BE IT RESOLVED that John Mangelli is re-appointed as a member of the Environmental Conservation Commission for a term to expire the first Monday in July, 2012.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-178**

Trustee Naughton moved BE IT RESOLVED that the Mayor is authorized to sign the contract for Community Development Block Grant (CDBG) funding between the Village of Bayville and the Nassau County Office of Community Development. The approved funding is for Federal Fiscal Year 2010 – the 36<sup>th</sup> Program Year under the Nassau County Urban Consortium.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-179**

Trustee Staab moved BE IT RESOLVED that Joseph Madsen is re-appointed as a member of the Cemetery Board for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-180**

Trustee Rapelje moved BE IT RESOLVED that the Board accepts with regret the resignation of Linda Spagnoli-Mossa from the Cemetery Board.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-181**

Trustee Kurkowski moved BE IT RESOLVED that Judy Giambalvo is re-appointed as a member of the Cemetery Board for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Rupp

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-182**

Trustee Rapelje moved BE IT RESOLVED that the Mayor is authorized to sign the amendments for Community Development Block Grant (CDBG) funding between the Village of Bayville and the Nassau County Office of Community Development. The amendments are for the 34<sup>th</sup> and 35<sup>th</sup> Program Years.  
Seconded by: Trustee Naughton  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-183**

Trustee Staab moved BE IT RESOLVED that Kathy Gibson is re-appointed as a member of the Museum Board for a term to expire the first Monday in July, 2015.  
Seconded by: Trustee Rapelje  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-184**

Trustee Rupp moved BE IT RESOLVED that the Mayor is authorized to sign any and all applications related to the Justice Court Assistance Program for the Bayville Village Justice Court.  
Seconded by: Trustee Naughton  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-185**

Trustee Rapelje moved BE IT RESOLVED that the Mayor is authorized to sign the Grant Disbursement Agreement with the Dormitory Authority of the State of New York for \$250,000.00 in funding under the New York State Economic Development Assistance Program (NYS EDAP) for the relocation of the Nassau County Police Booth and infrastructure improvements.  
Seconded by: Trustee Rupp  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, nay, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-186**

Trustee Rapelje moved BE IT RESOLVED that the Mayor is authorized to sign the amended agreement with Nassau County for the purchase and installation of approximately one hundred twenty (120) catch basin inserts. Nassau County will provide funds to the Village for the purchase and installation of catch basin inserts, and the Village will purchase, install and maintain the inserts.  
Seconded by: Trustee Valsecchi  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-187**

Trustee Kurkowski moved BE IT RESOLVED that the Board accept the recommendation of Unit Chief Edward Watson to hire John Garvie for full time employment due to the satisfactory completion of his probation period.  
Seconded by: Trustee Rapelje  
Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-188**

Trustee Kurkowski moved BE IT RESOLVED that the Mayor is authorized to sign the proposal from JAC Planning Corp. as a consultant to assist the Village in SEQRA related services on proposed development projects within the Village rate schedule as per November 18, 2010 proposal (copy attached): With respect to the services to be rendered for the Bayville Fire Company – Development of 25 Quincy Avenue, the fee is not to exceed \$5000.00.  
Seconded by: Trustee Valsecchi  
Poll of the Board: Trustee Rupp, nay, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-189**

Trustee Rupp moved BE IT RESOLVED that the Village of Bayville accepts the November 2010 memorandum of agreement with CSEA 1000 AFSCME, AFLCIO, the agreements will run from June 1, 2010 through to and ending May 31, 2014.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-190**

Trustee Rapelje moved BE IT RESOLVED that the Mayor is authorized to sign the agreement with Liberty Capital for their annual base fee of \$1000 for the filing of Village annual financial audit, budget and any of the required material event, should they occur, in accordance with the requirements of the Undertaking to Provide Limited Disclosure agreement executed as part of March 2010 Note closing.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Rupp, nay, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, nay, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-191**

Trustee Rapelje moved BE IT RESOLVED that the Mayor is authorized to accept the request from National Grid for a Blanket permit for the Proactive Service Replacement Program. The set fee is \$250 per road no matter how many replacements are performed. This blanket fee will remain in effect and applies only to the 116 services located in the Village of Bayville. In addition, National Grid will provide the Village with a list of the 98 replacements performed to date so that the Village can issue a retroactive permit and collect the applicable fees.

Seconded by: Trustee Staab

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-192**

Trustee Naughton moved BE IT RESOLVED to close the Regular Meeting at 9:05pm. and enter into Executive Session to discuss pending litigation Poczatek v. Bayville.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Rupp, aye, Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

#### **RESOLUTION 2010-193**

Meeting adjourned at 10:30pm.

Respectfully submitted,

Maria Alfano-Hardy  
Village Clerk Treasurer